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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
LYNN LE LAC,)
)
Defendant.)

Criminal No. 3 09 70788 BZ

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE INITIAL
APPEARANCE**

The defendant, LYNN LE LAC, has been ordered to appear before the Honorable Elizabeth D. LaPorte, U.S. Magistrate Judge, on October 20, 2009, at 9:30 a.m. for preliminary hearing or initial appearance on an indictment. The parties are discussing agreeing to the filing of an information in lieu of an indictment and hereby agree and respectfully request that Ms. Lac's next appearance may be continued to November 6, 2009, at 9:30 a.m. before the Honorable James Larson, U.S. Magistrate Judge. Ms. Halbert represents that she has advised Ms. Lac of this Stipulation and Proposed Order and that Ms. Lac has agreed to appear on November 6, 2009,

as set forth herein and agrees to waive time for preliminary hearing or indictment pursuant to Rule 5.1(c) and (d). The parties further agree and stipulate that the additional time is appropriate and necessary under Title 18, United States Code, § 3161(b) and (h)(7)(A) and (B)(iv), because the ends of justice served by this continuance outweigh the best interest of the public and the defendant in filing an information or indictment within the time set forth in 18 U.S.C. § 3161(b). This time exclusion will allow government and defense counsel to effectively prepare, taking into account the exercise of due diligence, and will provide for continuity of counsel for the defendant.

DATED: October 16, 2009

/s/
SHAWN HALBERT
Counsel for Defendant

DATED: October 16, 2009

/s/
JEFFREY R. FINIGAN
Assistant U.S. Attorney

ORDER

For the reasons stated by the parties herein, it is hereby ORDERED that the appearance for defendant, LYNN LE LAC, is **CONTINUED** from October 20, 2009, at 9:30 a.m. to November 6, 2009, at 9:30 a.m. before the Honorable James Larson, U.S. Magistrate Judge and that time is excluded pursuant to Rule 5.1(d) and 18 U.S.C. § 3161.

DATED: 10/16/09

ELIZABETH D. LAPORTE
UNITED STATES MAGISTRATE JUDGE

